

# Senate Study Bill 1123 - Introduced

SENATE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE ON  
STATE GOVERNMENT BILL BY  
CHAIRPERSON DANIELSON)

## A BILL FOR

1 An Act providing for charitable food donations to food banks  
2 and similar organizations, and providing for appropriations.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1     Section 1.   NEW SECTION.   190D.1   Definitions.

2     As used in this chapter, unless the context otherwise  
3 requires:

4     1.   *"Department"* means the department of human services.

5     2.   *"Federal emergency food assistance program"* means the  
6 federal emergency food assistance program, as provided in 7  
7 C.F.R. pts. 250 and 251.

8     3.   *"Food"* means a substance which is used in whole or in  
9 part for human consumption in compliance with federal and state  
10 standards or requirements, including a donated food that meets  
11 the requirements of the federal emergency food assistance  
12 program.

13    4.   *"Iowa emergency feeding organization"* means a public or  
14 private nonprofit organization whose mission is compatible with  
15 the purpose of this chapter as provided in section 190D.3 and  
16 which includes an Iowa food bank or other organization that  
17 operates at a congregate nutritional site or that provides  
18 home-delivered meals in this state. An Iowa emergency feeding  
19 organization includes but is not limited to a food pantry,  
20 hunger relief center, or soup kitchen.

21    5.   *"Iowa food bank"* means a private nonprofit organization  
22 that meets all of the following requirements:

23    a.   It receives, holds, and directly or indirectly  
24 distributes food principally to Iowa emergency feeding  
25 organizations in a manner compatible with the purpose of this  
26 chapter as provided in section 190D.3.

27    b.   It is an organization described in section 501(c)(3)  
28 of the Internal Revenue Code and exempt from taxation under  
29 section 501(a) of the Internal Revenue Code.

30    c.   It receives contributions that are deductible under  
31 section 170 of the Internal Revenue Code.

32    6.   *"Iowa food bank association"* or *"association"* means an  
33 organization that meets all of the following requirements:

34    a.   It is organized as a nonprofit corporation under chapter  
35 504.

1     *b.* Its principal office is or has been located in this  
2 state.

3     *c.* It is an organization described in section 501(c)(3)  
4 of the Internal Revenue Code and exempt from taxation under  
5 section 501(a) of the Internal Revenue Code.

6     *d.* It receives contributions that are deductible under  
7 section 170 of the Internal Revenue Code.

8     *e.* Its members include Iowa food banks, or affiliations  
9 of Iowa food banks, that together serve all counties in this  
10 state.

11     Sec. 2. NEW SECTION. 190D.2 Department of human services  
12 — administration.

13     1. This chapter shall be administered by the department of  
14 human services.

15     2. The department shall adopt all rules necessary to  
16 administer this chapter.

17     Sec. 3. NEW SECTION. 190D.3 Iowa emergency food purchase  
18 program — purpose.

19     1. An Iowa emergency food purchase program is established in  
20 the department. The purpose of the program is to effectively  
21 and efficiently utilize Iowa's abundant supplies of nutritional  
22 food to relieve situations of emergency experienced by  
23 individuals or families in need who reside in this state,  
24 including low-income individuals or families and unemployed  
25 individuals or families.

26     2. Each fiscal year, the department shall award the  
27 amount appropriated in section 190D.4, to an Iowa food bank  
28 association selected by the department to manage the Iowa  
29 emergency food purchase program. The department shall execute  
30 a contract with the association to provide for the terms and  
31 conditions of the program's management. A contract shall not  
32 obligate the state to pay moneys for multiple fiscal years.

33     Sec. 4. NEW SECTION. 190D.4 Appropriation.

34     1. For the fiscal year beginning July 1, 2015, and ending  
35 June 30, 2016, and for each subsequent fiscal year, there

1 is appropriated from the general fund of the state to the  
2 department the amount of two million dollars to support the  
3 Iowa emergency food purchase program.

4 2. The department shall allocate the amount appropriated  
5 in subsection 1 to an Iowa food bank association selected by  
6 the department as provided in section 190D.3 to manage the Iowa  
7 emergency food purchase program.

8 a. The moneys shall be used exclusively to do any of the  
9 following:

10 (1) Purchase food on behalf of an Iowa emergency feeding  
11 organization.

12 (2) Distribution to an Iowa emergency feeding organization  
13 for the purchase of food.

14 b. The moneys shall be used in accordance with all of the  
15 following:

16 (1) A preference shall be provided to the purchase of food  
17 produced, processed, or packaged within this state whenever  
18 reasonably practicable.

19 (2) The food shall be purchased in a manner that best  
20 furthers a significant economic benefit to communities of this  
21 state.

22 EXPLANATION

23 The inclusion of this explanation does not constitute agreement with  
24 the explanation's substance by the members of the general assembly.

25 This bill creates an Iowa emergency food purchase program  
26 within the department of human services and managed by an Iowa  
27 food bank association selected by the department to relieve  
28 situations of emergency experienced by individuals or families  
29 in need who reside in this state.

30 Each fiscal year, moneys from the general fund are  
31 appropriated to the department in order to support the program.  
32 The program includes the direct purchase of food on behalf  
33 of an Iowa emergency feeding organization or distribution of  
34 moneys to such organization for the purchase of food.